

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE**

IN RE:)	
)	
DAVID DEWAYNE KEESEE)	CASE NO: 18-03800
)	ADVERSARY NO.: 3:18-ap-90140
Debtor.)	
)	CHAPTER 13
DAVID DEWAYNE KEESEE)	
)	
Plaintiff,)	JUDGE HARRISON
)	
V.)	
)	
SPECIALIZED LOAN SERVICING)	
)	
Defendant,)	
)	
SHAPIRO & INGLE LLP)	
)	
Defendant.)	

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: DECEMBER 19, 2018
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: JANUARY 2, 2019 AT 8:30 AM IN
COURTROOM ONE, 2ND FLOOR, CUSTOMS HOUSE, 701 BROADWAY, NASHVILLE, TN 37203**

NOTICE OF MOTION TO WITHDRAW AS COUNSEL FOR DEBTOR

The debtor's counsel has asked the court for the following relief: to withdraw as counsel.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion, or if you want the court to consider your views on the motion, then on or before **DECEMBER 19, 2018**, you or your attorney must:

1. File with the court your written response or objection explaining your position at: **PLEASE NOTE THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <http://ecf.tnmb.uscourts.gov>**
2. Your response must state that the deadline for filing responses is **DECEMBER 19, 2018**, the date of the scheduled hearing is **JANUARY 2, 2019** and the motion to which you are responding is the Debtor's Motion to Withdraw as Counsel for Debtors.
3. You must also mail a copy of your response to:
Joshua A. Coles, Coles & Holton, LLP, Debtor's counsel, 764 Roycroft Place, Nashville, TN 37203;
Chapter 13 Trustee, Henry Hildebrand, III, P.O. Box 190664, Nashville, TN 37219; and
US Trustee, Beth Derrick, 318 Customs House, 701 Broadway, Nashville, TN 37203.

If a timely response is filed, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's website at www.tnmb.uscourts.gov. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 11/28/2018

/s/ Joshua A. Coles
Joshua A. Coles, #028257
Coles & Holton, LLP
Attorney for Debtor/Plaintiff
764 Roycroft Place
Nashville, TN 37203
Phone: 615-712-9537; Fax: 615-712-9768
josh.coles@colesandholton.com

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MOTION TO WITHDRAW AS COUNSEL FOR THE DEBTOR

Now comes the Debtor's Counsel, Joshua A. Coles and Coles & Holton, LLP, and moves this Court by way of Motion to Withdraw as counsel for the Debtor, and in support thereof would show unto the Court as follows:

That Debtor and counsel have irreconcilable differences over issues arising out of this Adversary Proceeding. Counsel suggests that under these circumstances, the attorney client relationship has deteriorated to such a point that further representation would be untenable, and therefore he moves to withdraw as counsel of record in this proceeding.

WHEREFORE, Debtor's counsel prays that the court allow it to withdraw in accordance with the detailed request above.

Respectfully submitted this the 28th day of November, 2018.

/s/ Joshua A. Coles
Joshua A. Coles, #028257
Coles & Holton, LLP
Attorney for Debtor/Plaintiff
764 Roycroft Place
Nashville, TN 37203
Phone: 615-712-9537; Fax: 615-712-9768
josh.coles@colesandholton.com

CERTIFICATE OF SERVICE

I, the undersigned attorney, hereby certify that I served a true and exact copy of the foregoing Motion to Withdraw as Counsel for the Debtor upon the office of the Chapter 13 Trustee, PO Box 340019, Nashville, TN 37203, to the U.S. Trustee, 318 Customs House, 701 Broadway, Nashville, TN 37203; to Specialized Loan Servicing, 8742 Lucent Boulevard, Suite 300, Highlands Ranch, CO 80129; to Shapiro & Ingle LLP, 10130 Perimeter Parkway, Suite 400, Charlotte, NC 28216; and to the Debtor/Plaintiff, David Dewayne Keesee, 3393 Endsworth Drive, Clarksville, TN 37042 either electronically or by United States mail, postage pre-paid, and on this the 28th day of November, 2018.

/s/ Joshua A. Coles
Joshua A. Coles, #028257

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Defendant.)	

ORDER ALLOWING COUNSEL TO WITHDRAW AS COUNSEL FOR THE DEBTOR

Upon consideration of the Motion to Withdraw filed herein, statements of counsel and the debtors; it is

ORDERED, ADJUDGED AND DECREED that Joshua A. Coles and Coles & Holton, LLP are allowed to withdraw as counsel for the Debtor as irreconcilable differences have arisen between the Debtor and Counsel which makes further representation untenable.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THIS PAGE.

APPROVED FOR ENTRY:

PROPOSED

Signature:

/s/ Joshua A. Coles
Joshua A. Coles, #028257
Coles & Holton, LLP
Attorney for Debtor
764 Roycroft Place
Nashville, TN 37203
Phone: 615-712-9537; Fax: 615-712-9768
josh.coles@colesandholton.com